

Town Board Minutes

September 8, 2015

Meeting No. 27

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 8th day of September 2015 at 7:00 P.M. and there were

PRESENT: JOHN ABRAHAM , COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
DINO FUDOLI, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
JOHN DUDZIAK, TOWN ATTORNEY
LEONARD CAMPISANO, ASST. CODE ENFORCEMENT
OFFICER
GERALD GILL, CHIEF OF POLICE
MARK LUBERA, PARK CREW CHIEF
DANIEL AMATURA, HIGHWAY SUPERINTENDENT
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES

EXECUTIVE SESSION NO. 1:

AT 7:08 P.M., UPON A MOTION DULY MADE BY COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL MEMBER STEMPIAK AND CARRIED, the Town Board entered into Executive Session to deliberate on the announced purpose of discussing matters leading to the appointment of a particular person.

At 7:26 P.M., the Town Board reconvened with all members present. The Town Clerk reported that no official actions were taken by the Town Board in Executive Session.

EXECUTIVE SESSION NO. 2:

AT 8:27 P.M., UPON A MOTION DULY MADE BY COUNCIL MEMBER ABRAHAM, SECONDED BY COUNCIL MEMBER RUFFINO AND CARRIED, the Town Board entered into Executive Session to deliberate on the announced purpose of discussing particular personnel matters.

At 9:06 P.M., the Town Board reconvened with all members present. The Town Clerk reported that no official actions were taken by the Town Board in Executive Session.

PERSONS ADDRESSING TOWN BOARD:

Beutler, Daniel, spoke to the Town Board on the following matter:

- Comprehensive Master Plan.

Chowaniec, Lee, spoke to the Town Board on the following matter:

- William Street drainage ditches. Asks Town to send a letter to the County to cover ditches.

Ezzo, George, spoke to the Town Board on the following matter:

- Responded to comments made by persons as they relate to the airport.

Fronczak, Mike, spoke to the Town Board on the following matters:

- Change Order #1 for Sidewalk, Wheelchair Ramp, Curb & Apron repair.
- Clearing of snow from sidewalk near his home.
- Emergency plow service to clear Town roads.
- Site Plan for storage buildings at 1202 Townline Road.
- Wants reports from Town regarding projects.
- Contract negotiations.
- WalMart parking lot storage containers.

Hajduk, Mark, spoke to the Town Board on the following matter:

- Opposition to construction road to be used for development of Hidden Meadow Subdivision.

Jezioro, Chris, spoke to the Town Board on the following matter:

- Concerns regarding the construction of Hidden Meadow Subdivision.

Kazmierczak, Tom, spoke to the Town Board on the following matters:

- Legacy costs.
- Town employee benefits.

Konieczek, Steve, spoke to the Town Board on the following matter:

- Drainage and construction concerns related to Hidden Meadow Subdivision.

Maddock, Frank, spoke to the Town Board on the following matter:

- Dredging of Como Lake Park.

PRESENTATION OF PREFILED RESOLUTIONS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED, that the minutes of the Regular Meeting of the Town Board
held August 17, 2015 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

September 8, 2015

File: RMIN (P1)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered
paid from their respective accounts as per abstract to be filed in the Office of the Town Clerk
by the Assistant to the Supervisor, to wit:

Claim No. 41256 to Claim No. 41474 Inclusive

Total amount hereby authorized to be paid: \$885,399.48

The question of the foregoing resolution was duly put to a vote on roll call
which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

September 8, 2015

File: Rclaims

A MOTION TO AMEND THE FOLOWING RESOLUTION WAS MADE BY COUNCIL MEMBER STEMPNIAK, AND SECONDED BY COUNCIL MEMBER ABRAHAM FOR THE PURPOSE OF DELETING THE FOLLOWING TEXT: “24433 Town of Lancaster 0 Transit Rd Cell Tower Co-location.”

THE QUESTION WAS DULY PUT TO A VOTE, WHICH RESULTED AS FOLLOWS: ALL IN FAVOR, NONE OPPOSED.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCIL MEMBER STEMPNIAK, WHO MOVED ITS ADOPTION, SECONDED BY COUNCIL MEMBER ABRAHAM, TO WIT:

RESOLVED that the following Building Permit applications be and are hereby reaffirmed:

CODES:
(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town of Lancaster are waived for this permit.
(CSW) = Conditional sidewalk waiver
(V/L) = Village of Lancaster

NEW PERMITS:

Pmt #	SW	Applicant Name	Address	STRUCTURE	Village
24394		David & Donna Czaprynski	13 Katelyn Ln	Re-Roof	
24395		Mark & Tracy Jurkowski	36 Quail Run Ln	Re-Roof	
24396		William Revelas	12 Plumb Creek Trl	Inst. Generator	
24397		Gerald Kania	31 Rollingwood Dr	Re-Roof	
24398		David & Michele Hoelzl	590 Columbia Ave	Er. Fence	
24399		David & Michele Hoelzl	590 Columbia Ave	Er. Pool-In Grnd	
24400		Windsor Ridge Partners LLC	44 Worthington Ln	Er. Dwlg.-Sin.	
24401		Angelo Ciminelli Jr.	153 Wendel St	Er. Shed	
24402		Michael & Renne Stegmeier	24 Whitestone Ln	Er. Pool-Abv Grnd	
24403		John & Gretchen Buckles	5226 Genesee St	Er. Fence	
24404		William King	115S Irwinwood Rd	Er. Fence	(V/L)
24405		Michael Thill	443 Lake Ave	Re-Roof	
24406		Michael & Margaret Okal	9 Cloverside Dr	Er. Deck	(V/L)
24407		Vincent Marino	41 Cedar Brook Dr	Er. Fence	
24408		Vincent Marino	41 Cedar Brook Dr	Er. Pool-In Grnd	
24409		Shelly Zuppa	104 Woodlawn Ave	Er. Res. Add.	(V/L)
24410		Nicole Gawron	69 Chestnut Corner	Inst. Generator	
24411		Mark & Emily Ayers Jr	29 Sterling Pl	Er. Shed	
24412		John & Tracy Maw	42 Quail Run Ln	Re-Roof	
24413		Kevin Carriero	729 Erie St	Re-Roof	
24414		Raymond Boreanaz	3494 Bowen Rd	Re-Roof	
24415		Charles Parrinello	78 Carter St	Re-Roof	(V/L)
24416		David Roaldi	90 Lake Ave	Re-Roof	(V/L)
24417		Tadeusz & Linda Maziarski	115 Stony Rd	Re-Roof	
24418		Robert Drier	73 Livingston St	Re-Roof	(V/L)
24419		Daniel E Queeno	28 Clermont Ct	Er. Shed	
24420		Keith & Christine Koch	10 Sweet Brier Ct	Er. Shed	
24421		Gary & Mary Ann Stoldt	312 Lake Ave	Re-Roof	(V/L)
24422		CMK Builders	213 Siebert Rd	Er. Dwlg.-Sin.	
24423		Pleasant Meadows Assocs LLC	5 Magrum Ln	Er. Dwlg.-Sin.	
24424		Troy E Hillman	26 Donna Lea Dr	Er. Pool-In Grnd	
24425		Troy Hillman	26 Donna Lea Dr	Er. Fence	
24426		Christopher Brown	20 Oakwood Comm	Er. Pool-In Grnd	
24427		Christopher Brown	20 Oakwood Comm	Er. Fence	
24428		Michael Philip & Sandra Zimme	20 Petersbrook Cir	Er. Fence	
24429		Fairways at Lancaster LLP	5360 Genesee St	Er. Townhouses	
24430		Fairways at Lancaster LLC	5360 Genesee St	Er. Townhouses	
24431		Fairways at Lancaster LLC	5360 Genesee St	Er. Townhouses	
24432		Fairways at Lancaster LLC	5360 Genesee St	Er. Townhouses	
24434		John & Tracy Maw	42 Quail Run Ln	Er. Fence	
24435		Norman Kohlbrenner	1103 Penora St	Er. Garage	
24436		Pleasant Meadows Assocs LLC	7 Magrum Ln	Er. Dwlg.-Sin.	
24437		James & Barbara Choinski	19 Nicholas Ln	Er. Shed	
24438		Pleasant Meadows Assocs LLC	12 Magrum Ln	Er. Dwlg.-Sin.	
24439		Brandon & Lisa Suchan	1337 Ransom Rd	Er. Res. Alt.	
24440		Julie Beiter	20 Plumb Creek Trl	Er. Shed	

24441	Shannon Hebel	15 Squirrel Run	Er. Res. Add.	
24442	Upchurch Construction	158 Lake Ave	Re-Roof	(V/L)
24443	Tadeusz & Linda Maziarski	115 Stony Rd	Er. Fence	
24444	Richard Lesch	283 Enchanted Forest N	Er. Pool-Abv Grnd	
24445	Aerial Roofing & Exterior Inc	3909 Bowen Rd	Re-Roof	
24446	Aerial Roofing & Exterior Inc.	3911 Bowen Rd	Re-Roof	
24447	Mark & Anita Leon Sr	42 Woodgate Dr	Re-Roof	
24448	Aerial Roofing & Exterior Inc	3913 Bowen Rd	Re-Roof	
24449	Besroi Construction	34 Glendale Dr	Re-Roof	
24450	Besroi Construction	15 Buckingham Ct	Re-Roof	
24451	Besroi Construction	15 Sawyer Ave	Re-Roof	(V/L)
24452	Besroi Construction	42 Quail Run Ln	Re-Roof	
24453	Breanne Keating	17 Spruceland Ter	Er. Fence	
24454	Kayes Roofing and Construction	5733 Genesee St	Re-Roof	
24455	Zwick's Home Improvement Inc.	4 Old Orchard Comm	Re-Roof	
24456	Ivy Lea Construction Inc.	5636 Broadway	Er. Deck	(V/L)
24457	Ivy Lea Construction Inc	5636 Broadway	Re-Roof	(V/L)
24458	Buffalo Bungalow	173 Siebert Rd	Er. Dwlg.-Sin.	
24459	Buffalo Bungalow	514 Ransom Rd	Er. Dwlg.-Sin.	
24460	John & Debra Bak	437 Pleasant View Dr	Re-Roof	
24461	Sturdi Build Sheds LLC	58 Sterling Pl	Er. Shed	
24462	Gary G Knapp	360 Aurora St	Re-Roof	(V/L)
24463	Michael J Pascucci	75 Laverack Ave	Re-Roof	(V/L)
24464	Robert A Seitz	12 Cambridge Ct	Re-Roof	
24465	Kevin & Phyllis Durkin	710 Schwartz Rd	Er. Shed	
24466	Buddy Nguyen	4780 William St	Er. Fence	
24467	RJF Development JV	47 Middlebury Ln	Er. Dwlg.-Sin.	
24468	RJF Development JV	14 Middlebury Ln	Er. Dwlg.-Sin.	
24469	RJF Development JV	16 Middlebury Ln	Er. Dwlg.-Sin.	
24470	Salvatore Mendola	61 Albert Dr	Re-Roof	(V/L)
24471	Michael Koscielny	28 Southpoint Dr	Er. Fence	
24472	Leo M Cudney Construction	213 Enchanted Forest N	Re-Roof	
24473	Adam & Lindsay Klose	9 Jonquille Ct	Er. Shed	
24474	Lovejoy Builders Inc	34 Ann Marie Dr	Er. Dwlg.-Sin.	
24475	Christopher & Jennifer Fedele	45 Middlebury Ln	Er. Shed	
24476	Anthony Siresi	288 Iroquois Ave	Re-Roof	
24477	Windsor Ridge Partners LLC	53 Worthington Ln	Er. Dwlg.-Sin.	
24478	Richard & Justine Frey	4 Tranquility Trl	Er. Shed	
24479	Marrano Marc Equity Corp	14 Crabapple Ln	Er. Dwlg.-Sin.	
24480	Raymond Shatzel	1410 Townline Rd	Er. Dwlg.-Sin.	
24481	Douglas Furminger	10 Elm Pl	Re-Roof	(V/L)
24482	Tara Lesniak	34 Newberry Ln	Er. Shed	
24483	David Jakubowski	149 Nathan's Trl	Er. Res. Alt.	
24484	David & Michele Hoelzl	590 Columbia Ave	Inst. Ingrmd. Sprinkler	
24485	Bryan & Jennifer Messer	4 Bennington Ln	Er. Fence	

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

September 8, 2015

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, on July 6, 2015 the Town Board affirmed Building Permit
number 2015-24059 for 162 Irwinwood Road; and

WHEREAS, upon review of the Building Permit by the Code Enforcement
Officer, it has been determined that an incomplete address was provided for this permit.

NOW, THEREFORE, BE IT

RESOLVED, that this resolution shall hereby amend the resolution dated
July 6, 2015, and

AND BE IT FURTHER,

RESOLVED, that the Building Permit number 2015-24059 be affirmed for
162 S. Irwinwood Road.

The question of the adoption of the foregoing resolution was duly put to a
vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

September 8, 2015

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, Twin District Volunteer Fire Company, Inc., by letter
dated August 14, 2015, has requested the addition of the following member to the roster of
said fire association,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms
the addition to the membership of the Twin District Volunteer Fire Company the following
individual:

ADDITION:

Katherine Kochmanski
Lancaster, NY

The question of the adoption of the foregoing resolution was duly put to a
vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

September 8, 2015

File: RFIRE (P5)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, Town of Lancaster’s Park Crew Chief, Mark Lubera, of the Department of Parks, Recreation and Forestry of the Town of Lancaster by letter dated August 17, 2015 has requested the purchase of **one (1) new and unused 2015 Caterpillar 908H2 Compact Wheel Loader** for use by the Parks, Recreation and Forestry Department, and

WHEREAS, the above-referenced 908H2 caterpillar is available from the New York State Contract No. PC66988, Award No. PGB 22792, Group No. 40625-Heavy Equipment Piggyback Contract of National Joint Powers Alliance and the Cooperative Purchasing Network, through authorized State Vendor Southworth-Milton, Inc., which eliminates the need for competitive bidding pursuant to §103 of General Municipal Law, and

WHEREAS, the Town Board deems it in the public interest to approve the purchase of one (1) new and unused 2015 Caterpillar 908H2 Compact Wheel Loader;

**NOW, THEREFORE, BE IT
RESOLVED**, as follows:

The Town Board of the Town of Lancaster hereby approves the purchase of **one (1) new and unused 2015 Caterpillar 908H2 Compact Wheel Loader** from the 2015 authorized New York State Vendor Southworth-Milton, Inc., 4610 E. Saile Drive, Batavia, New York 14020 under New York State Contract No. NY PC66988, Award No. PGB 22792, Group No. 40625-Heavy Equipment Piggyback Contract of National Joint Powers Alliance and the Cooperative Purchasing Network as proposed by Park Crew Chief, Mark Lubera for an amount not to exceed the state contract price of \$88,420.00; this sum will be paid from the Parks, Recreation and Forestry Department’s May 18, 2015 Vehicle and Equipment Acquisition Bond.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

September 8, 2015

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, the Gulbransen organ used by and located in the Senior Center at 100 Oxford Avenue, is no longer in working condition, and

WHEREAS, Frederick Abbott of Tonawanda, New York has offered to donate his working Technique organ, valued at not more than \$1,000.00, to the Senior Center as a replacement, at no charge to the Town, and

WHEREAS, after due review and consideration the Town Board has determined that the Town’s Senior Center can make use of such a generous offer and deems it in the public interest to accept this donation.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby accepts the Technique Organ donation, valued at not more than \$1,000.00, from Frederick Abbott, of Tonawanda, New York, for use by the Town of Lancaster’s Senior Center.

The question of the adoption of the following resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

September 8, 2015

PREFILED RESOLUTION NO. 8 – MEETING OF SEPTEMBER 8, 2015

8. Abraham/ _____ Memorialize Amended Agreement Lancaster Volunteer Ambulance Corps

This resolution was withdrawn by Councilmember Abraham for further study.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK TO WIT:

WHEREAS, Surianello General Concrete Contractors, Inc., 635 Wyoming Avenue, Buffalo, NY 14215, the contractor for the Town of Lancaster’s 2015 Sidewalk, Wheelchair Ramp, Curb and Apron Replacement Project, has submitted Change Order No. 1 in the amount of \$57,775.50 to the Town Board for their approval, based on an increase/decrease in unit quantities of flatwork and curbing work needed to be performed provided to the Town Board;

**NOW, THEREFORE, BE IT
RESOLVED,** that the Town Board of the Town of Lancaster hereby approves Change Order No. 1 to **Surianello General Concrete Contractors, Inc.,** with respect to the outlined descriptions previously provided to the Town Board:

DESCRIPTION OF CHANGE ORDER NO. 1:

Additional compensation for an increase/decrease in unit quantities of flatwork and curbing work respectively.

CHANGE ORDER NO. 1:

The original Contract Sum was	\$ 699,000.00
The Contract Sum will be increased by this Change Order in the amount of....	\$ 57,775.50
The new Contract Sum increased including this Change Order will be	\$ 756,775.50

**BE IT FURTHER
RESOLVED,** that the Supervisor be and is hereby authorized to execute this Change Order on behalf of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

September 8, 2015

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, Mark Lubera, Park Crew Chief of the Town of Lancaster’s Parks Recreation & Forestry Department, has requested that two (2) dugouts be installed at the softball diamond within Meadow Lea Park in the Town of Lancaster, and

WHEREAS, the Park Crew Chief, requested a quote for the installation of two (2) dugouts within Meadow Lea Park in accordance with the Town of Lancaster’s Procurement Policy, and

WHEREAS, by letter dated August 27, 2015, Mark Lubera has recommended that the Town of Lancaster award the contract for installing two (2) dugouts at the softball diamond within Meadow Lea Park to Iroquois Fence, Inc., in the amount of \$6,000.00 per their quote dated August 27, 2015, and

WHEREAS, funding for the installation of the two (2) dugouts within Meadow Lea Park is available from the Town’s Recreation fees.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to award the contract for the installation of two (2) dugouts at the softball diamond within Meadow Lea Park to Iroquois Fence, Inc., 51 North America Drive, West Seneca, NY 14224, in accordance with their quote dated August 27, 2015 in the amount not to exceed \$6,000.00 and to be paid for with funds available from the Town’s Recreation fees.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

September 8, 2015

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, a vacancy exists on the Town of Lancaster Recreation Commission due to the resignation of Recreation Commission member Gary Ambrose in January of 2015, and

WHEREAS, Mark Lubera, Park Crew Chief of the Town of Lancaster Department of Parks, Recreation and Forestry, by letter dated August 24, 2015, has recommended the appointment of George Besch to serve as a member of the Town of Lancaster Recreation Commission.

NOW, THEREFORE, BE IT

RESOLVED, that George Besch be and is hereby appointed as a member of the Town of Lancaster Recreation Commission for the term of September 9, 2015 through December 31, 2021.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

September 8, 2015

THE FOLLOWING RESOLUTION WAS OFFERED BY
SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, Ronald Rozler, Disaster Coordinator, of the Town of Lancaster’s Office of Emergency Management, by letter dated September 1, 2015 has advised the Town Board that the Office of Emergency Management no longer has use for a 1993 Ford Cargo 8000 Truck (VIN # 1FDXH81E6PUA27535) with 186,477 miles, and has therefore requested that the Town Board deem this vehicle to be surplus and permit it to be placed on an online auction, and

WHEREAS, the Town Board has given due consideration to the request of Ronald Rozler and deems it in the public interest to declare the beforementioned vehicle to be surplus and permit placement of said item on an online auction;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby declares the 1993 Ford Cargo 8000 truck (VIN # 1FDXH81E6PUA27535) with 186,477 miles, to be surplus and authorizes the Disaster Coordinator, Ronald Rozler, to place said vehicle up for public bid at an online auction with Auctions International, *www.auctionsinternational.com*, 11167 Big Tree Road, East Aurora, New York 14052, starting September 14, 2015 and concluding on September 25, 2015, with the funds received from said auction to be made payable to the Town of Lancaster and delivered to the Town Supervisor's Office.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	NO
SUPERVISOR FUDOLI	VOTED	YES

September 8, 2015

PUBLIC AUCTION
OF TOWN OWNED SURPLUS EQUIPMENT

Notice is hereby given that the Town Board of the Town of Lancaster has deemed a 1993 912-Ford Cargo 8000 Truck (VIN # 1FDXH81E6PUA27535) with 186,477 miles as surplus:

This surplus vehicle and will be auctioned at an online auction with Auctions International, *www.auctionsinternational.com*, 11167 Big Tree Road, East Aurora, New York 14052, starting September 14, 2015 and concluding on September 25, 2015.

Successful bidders must provide a payment of 100% of the bid price offered payable to the Town of Lancaster prior to taking possession of the vehicle.

The surplus vehicle may be inspected at the Town of Lancaster's Office of Emergency Management, 525 Pavement Road, Lancaster, New York by contacting Carmen Ciccarelli at 912-7738 to make an appointment.

TOWN BOARD
TOWN OF TOWN OF LANCASTER

By: JOHANNA M. COLEMAN
TOWN CLERK

September 10, 2015

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, the Park Crew Chief of the Parks, Recreation and Forestry Department of the Town of Lancaster, by letter dated September 1, 2015, has recommended the appointment of the following individual(s) to the following part-time permanent position(s).

NOW, THEREFORE, BE IT

RESOLVED, that the following individual(s) are hereby appointed to the following part-time permanent position(s) in the Parks, Recreation and Forestry Department, working not more than nineteen and three-quarter hours per week, and that these being part-time position(s), provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time permanent employees:

<u>NAME</u>	<u>POSITION</u>	<u>PAY RATE PER HOUR</u>	<u>EFFECTIVE DATE</u>
Kristyn Wind (rehire) Lancaster, NY	Lifeguard (Pool Director)	\$15.00	September 9, 2015
Alexi Achtyl (rehire) Lancaster, NY	Lifeguard	\$10.00	September 9, 2015
Michael Emerson (rehire) Lancaster, NY	Lifeguard	\$10.00	September 9, 2015
Corinne Glauber (rehire) Lancaster, NY	Lifeguard	\$10.00	September 9, 2015
Kirstin Heffler (rehire) Lancaster, NY	Lifeguard	\$10.00	September 9, 2015
Jennifer Kennedy (rehire) Clarence Center, NY	Lifeguard	\$11.50	September 9, 2015
Jesse Kucewicz (rehire) Lancaster, NY	Lifeguard	\$10.00	September 9, 2015
Tyler Landahl (rehire) Lancaster, NY	Lifeguard	\$10.00	September 9, 2015
Olivia Prusaczyk (rehire) Lancaster, NY	Lifeguard	\$10.00	September 9, 2015
Meagan Strek (rehire) Lancaster, NY	Lifeguard	\$10.00	September 9, 2015
Sarah Bzibziak (rehire) Depew, NY	Lifeguard (Substitute)	\$10.00	September 9, 2015
Diana Franzone (rehire) Lancaster, NY	Lifeguard (Substitute)	\$10.00	September 9, 2015

Berkeley Kozuch (rehire) Depew, NY	Lifeguard (Substitute)	\$10.00	September 9, 2015
Jordan Chaves (rehire) Lancaster, NY	Lifeguard (Substitute)	\$11.00	September 9, 2015
Eric Mruk (rehire) Lancaster, NY	Lifeguard (Substitute)	\$12.00	September 9, 2015
Dana Santasiero (rehire) Lancaster, NY	Lifeguard (Substitute)	\$10.00	September 9, 2015
Megan Schneider (rehire) Lancaster, NY	Lifeguard (Substitute)	\$10.00	September 9, 2015
Erin Weigand (rehire) Lancaster, NY	Lifeguard (Substitute)	\$12.00	September 9, 2015
Trevor Wyse (rehire) Lancaster, NY	Lifeguard (Substitute)	\$10.00	September 9, 2015

BE IT FURTHER,
RESOLVED, that the Supervisor of the Town of Lancaster shall be
authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a
vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

September 8, 2015

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, Supervisor Dino Fudoli, by letter dated September 2, 2015, has recommended the appointment of Rebecca Baker to the position of Assessor, to fill the vacancy due to the retirement of Christine Fusco effective October 1, 2015; and

WHEREAS, the Town Board has determined that Rebecca Baker is qualified under the laws of New York State to serve as a town assessor, and wishes to appoint Ms. Baker as Assessor; and

WHEREAS, the Town and Ms. Baker have agreed on the terms and conditions associated with Ms. Baker’s appointment as Assessor.

**NOW, THEREFORE, BE IT
RESOLVED, AS FOLLOWS:**

- 1. Rebecca Baker is hereby appointed as Assessor for the Town of Lancaster, effective October 1, 2015, and such appointment shall terminate on September 30, 2019 as specified by New York State Law.
- 2. Ms. Baker shall be paid at a salary of \$50,000 annually while serving as Assessor.
- 3. The Supervisor is hereby authorized and directed to execute an employment agreement with Ms. Baker, in substantially the form presented, upon final review and approval by the Town’s legal counsel.

BE IT FURTHER,
RESOLVED, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

September 8, 2015

COMMUNICATIONS & REPORTS

- 559. Park Crew Chief to Supervisor and Town Board –
Request for resolution to adjust the title and rate of pay for Allie Stewart retroactive to July 6, 2015. Disposition = For Resolution**
- 560. Park Crew Chief to Supervisor and Town Board –
Request for appointment of two individuals to the position of part-time temporary seasonal employee for the summer of 2015 in the Parks, Recreation & Forestry Department retroactive to June 29, 2015.
Disposition = Resolution 9/8/15**
- 561. Town Clerk to Town Board –
Final report of the 2015 County/Town tax collection.
Disposition = Received & Filed**
- 562. Joanne George, Iroquois Central School District to Town Clerk –
Certification of the Iroquois Central School District School Tax Rate for the Town of Lancaster for the school year 2015-2016. Disposition = Received & Filed**
- 563. Paul Karpik, Alden Central School District to Erie County Finance –
Alden Central School District authorized school tax rates for 2015-2016.
Disposition = Received & Filed**
- 564. William Ross, Chairman Niagara County Legislature to Supervisor –
Request for local governments to consider contributions to The Niagara Falls Military Affairs Council. Disposition = Received & Filed**
- 565. Supervising Code Enforcement Officer to Town Clerk –
Corrected Permit #2015-24059 for 162 S. Irwinwood Road.
Disposition = Resolution 9/8/15**
- 566. LIDA Chairman to Town Clerk –
Request for Town of Lancaster Industrial Development Agency 2016 Proposed Budget to be posted on the Town Clerk's official bulletin board for the 20 business-day period. Disposition = Received & Filed**
- 567. Highway Superintendent to Supervisor –
Request for agreement with Erie County Sheriff's Dept. regarding the use of correctional inmates performing various jobs within the Town of Lancaster.
Disposition = Received & Filed**
- 568. Supervisor to John Sweet –
Response to letter dated 8/12/2015 regarding the use of garbage totes within the Town of Lancaster. Disposition = Received & Filed**
- 569. Twin District Volunteer Fire Company to Town Clerk –
Change in roster. Disposition = Resolution 9/8/15**
- 570. Town Attorney to NYSDEC, Erie County DPW, Erie County Health Dept., Div. of Sewerage Management, NYSDOT, Erie County DEP –
Request for lead agency designation for Upstate Cellular d/b/a Verizon Wireless (Pleasant View), 525 Pavement Road (Proj. #2676).
Disposition = Planning Committee**
- 571. Lieutenant Jeffrey Smith to Town Clerk's Office –
No objection to granting fireworks permit for Lancaster Speedway for Sept. 4, 2015. Disposition = Received & Filed**
- 572. Erie County Dept. of Environment and Planning to Town Clerk –
Agricultural District Annual Enrollment Period. Disposition = Received & Filed**

573. Town Clerk to Twin District Fire V.F.C Chief, Town Line V.F.D Chief, Millgrove V.F.D Chief, Bowmansville V.F.A. Chief, Twin District V.F.C. President, Town Line V.F.D. President, Millgrove V.F.D. President, Bowmansville V.F.A. President -
Reminder of the inspection which was prearranged between the Town Board and the four fire companies for September 28, 2015 at 6:00PM.
Disposition = Received & Filed
574. Town Clerk to Matt Shaw, Lancaster Speedway –
Permit for fireworks display at Lancaster Speedway on Sept. 4, 2015.
Disposition = Received & Filed
575. Park Crew Chief to Planning Board Chairman, Planning Board Members, Council Member Abraham, Council Member Ruffino, and Council Member Stempniak –
Unable to offer an opinion due to incomplete nature of site plan for Enterprise Rent-A-Car Storage, 5550 Genesee St. (Proj. #4212).
Disposition = Received & Filed
576. Park Crew Chief to Planning Board Chairman, Planning Board Members, Council Member Abraham, Council Member Ruffino, and Council Member Stempniak –
No issues with the application for site plan approval for Upstate Cellular Network, 525 Pavement Road (Proj. 2676). Disposition = Received & Filed
577. Cheryl J. Trzecki to Town Board –
Follow-up letter regarding the Parklane Senior Apartments Project of 2014 stating concerns with drainage as a result of this project.
Disposition = Town Engineer
578. Village of Lancaster to Town Board –
Minutes from regular meeting held on July 13, 2015.
Disposition = Received & Filed
579. Village of Lancaster to Town Board –
Minutes from special meeting held on July 28, 2015.
Disposition = Received & Filed
580. Greater Buffalo-Niagara Regional Transportation Council to Town Clerk –
GBNRTC PCC Meeting Agenda for Wednesday, September 2, 2015.
Disposition = Received & Filed
581. Town Engineer to Town Clerk –
Map cover for the Hidden Meadow Subdivision Phase 1 for Town Clerk's signature. Disposition = Received & Filed
582. Town Clerk to Various News Media –
Press Release announcing the rescheduling of the meeting of the Zoning Board of Appeals to Wednesday, Sept. 9, 2015 due to Primary Elections to be held on Thursday, Sept. 10, 2015. Disposition = Received & Filed
583. Town Clerk to Highway Superintendent, Senior Center Coordinator, Police Chief, Park Crew Chief, Youth Bureau Director, Office of Emergency Management, Town Board, and Carmen Ciccarelli --
Information regarding polling places for 2015 Primary and General Elections at Town owned buildings. Disposition = Received & Filed
584. Highway Superintendent to Building Inspector and Town Engineer –
Request to resolve problem of snow plowing, snow storage, turning trucks around and guide rail & signs at the end of Daniel Drive and the dead end of Silent Meadow. Disposition = Received & Filed
585. Supervisor to Code Enforcement Officer and Highway Superintendent –
Request for investigation and summary of findings regarding site conditions and drainage conditions at the Park Lane Senior Apartment development as outlined by Ms. Cheryl Trzecki. Disposition = Town Engineer

586. NYS Dept. of Public Service to Supervisor –
Fact sheets and notice of Public Hearings for Energy Affordability for Low-Income Utility Customers and Proposed Merger of Charter Communications, Inc. and Time Warner Cable Inc.
Disposition = Received & Filed
587. VFW Post No. 7275 to Town Clerk –
Information regarding the annual Chicken BBQ on Sept. 20, 2015.
Disposition = Received & Filed
588. VFW Post No. 7275 to Town Clerk –
Information regarding a “Sweetest Day Dance” on Oct. 24, 2015.
Disposition = Received & Filed
589. Park Crew Chief to Planning Board Chairman, Planning Board, Council Member Abraham, Council Member Ruffino and Council Member Stempniak –
No opinion on Site Plan Project for 1202 Townline Road (Proj. #5029); landscaping plan required. Disposition = Planning Committee
590. Carol, Joel Jr. and Jessica Java to Town Clerk –
Thank you for Memorial Resolution in honor of Joel Java.
Disposition = Received & Filed
591. Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Division of Environment and Planning regarding Upstate Cellular d/b/a Verizon Wireless, 525 Pavement Road, Proj. #2676. Disposition = Planning Committee
592. Erie County to Supervisor --
Information regarding Electronics Recycling Day on September 12, 2015.
Disposition = Received & Filed
593. Disaster Coordinator to Town Board –
Request for equipment to be deemed as surplus and to be posted on an on-line auction. Disposition = Resolution 9/8/15
594. Park Crew Chief to Supervisor and Town Board –
Request for George Besch to be considered for one of the vacant positions on the Town of Lancaster Recreation Committee. Disposition = Resolution 9/8/15
595. Park Crew Chief to Planning Board Chair, Planning Board, Council Member Abraham, Council Member Ruffino, and Council Member Stempniak --
Negative opinion on site plan for Enterprise Rent-A-Car Storage, 5550 Genesee Street, Proj. #4212. Disposition = Planning Committee
596. Town Attorney to NYSDEC, Erie County DPW, Erie County Health Dept., Div. of Sewerage Management, NYSDOT, Erie County DEP –
Request for lead agency designation for 1202 Townline Road, located at 1202 Townline Road (Proj. #5029). Disposition = Planning Committee
597. Highway Superintendent to Town Engineer –
Information regarding asbestos removal at 56 Parkdale Drive (pump house) and 16 School Street (library). Disposition = Received & Filed
598. Jonathan Breidert to Supervisor –
Request that new Local Laws related to Refuse and Recycling which were adopted by the Town Board on January 20, 2015, be enforced.
Disposition = Received & Filed
599. Park Crew Chief to Supervisor and Town Board –
Request for individuals to be appointed to the position of part-time permanent employees for the fall/winter of 2015 in the Parks, Recreation & Forestry Dept.
Disposition = Resolution 9/8/15

- 600. Supervisor to Town Board –
Recommend the appointment of Rebecca Baker to the position of Assessor
for the Town of Lancaster effective October 1, 2015.
Disposition = Resolution 9/8/15**
- 601. Town Line Volunteer Fire Department, Inc. to Town Clerk –
Change in roster. Disposition = Resolution 9/8/15**
- 602. Police Chief to Town Clerk –
Articles and communications. Disposition = Received & Filed**

ADJOURNMENT:

ON MOTION OF COUNCIL MEMBER RUFFINO AND SECONDED BY COUNCIL MEMBER ABRAHAM AND CARRIED, the meeting was adjourned in memory of Paul G. Bannochie, Barbara J. Boyle, Joseph Cipolla, John M. Feness and Malcolm J. Francis at 9:06 P.M.

Signed _____
Johanna M. Coleman, Town Clerk